



# **FACULTY HANDBOOK**



Approved by the Xavier University Board of Trustees

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CONSTITUTIONS OF THE SOCIETY OF JESUS  
1548

- [446] 1. Since the end of the Society and its studies is to aid our fellowmen to the knowledge and love of God and to the salvation of their souls, and since the subject of theology is the means most suited to this end, in the universities of the Society the principal emphasis ought to be placed upon it. Accordingly, there should be diligent treatment by excellent professors of what pertains to scholastic doctrine and Sacred Scripture, as also to that part of positive theology which is conducive to the aforementioned end, without entering into the part of canon law directed toward court trials.
- [447] 2. Moreover, since both the learning of theology and the use of it require (especially in these times) knowledge of humane letters [A] and of the Latin, Greek, and Hebrew languages, there should be capable professors of these languages, and in sufficient number.
- [448] *A. Under the heading of humane letters is understood, in addition to grammar, what pertain to rhetoric, poetry, and history.*
- [450] 3. Likewise, since the arts of natural sciences dispose the intellectual powers for theology, and are useful for the perfect understanding and use of it, and also by their own nature help toward the same ends, they should be treated with fitting diligence and be learned professors. In all this the honor and glory of God our Lord should be sincerely sought [C].
- [451] *C. Logic, physics, metaphysics, and moral philosophy should be treated, and also mathematics, with the moderation appropriate to secure the end which is being sought.*
- [456] 3. Furthermore, there should be not only public lectures but also different masters according to the capacity and number of the students. These masters should take an interest in the progress of each one of their students, require them to give an account of their lessons, and make them hold repetitions. They should also have the students of humane letters get practice in regularly speaking Latin, writing compositions [in good style], and delivering well what they have composed. They should make them, and much more those studying the higher subjects, engage in disputations often. Days and hours should be designated for this; and in these disputations the students should debate not only with the members of their own class, but those who are somewhat lower down should dispute about matters they understand with students who are more advanced, and conversely those who are more advanced should debate with those lower down by coming down to subjects which these latter are studying. The professors too ought to hold disputations with one another.

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## THE FACULTY

The mission of this University requires the presence of excellent professors to provide diligent treatment of all the subjects taught. These capable and learned professors in the classical and contemporary disciplines are the first principle and foundation of the institution. The faculty hold the power of doing and devote their lives to empowering others. As masters they take an interest in the progress of each one of their students and require them to give an account of their lessons. The faculty extends the power of the various disciplines through their scholarship and research. They create and foster the intellectual life of the University and its members. The faculty have the authority and privilege of their rank, of their profession, of their abilities, and of their knowledge. The faculty's responsibilities to the institution are central and critical and thus the faculty are full participants in the shared governance of the University.

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## SECTION I – THE UNIVERSITY FACULTY

The University faculty consists of all those who participate in the educational mission of the University through teaching, research and service. All have been granted and accepted an appointment by the University and all are held to established norms in the performance of their duties. The interaction of the University faculty and the Administration is founded on a governing document entitled the *Constitution of the Faculty Assembly of Xavier University*.<sup>1</sup> This Constitution provides for a Faculty Assembly as the representative body for the University faculty with an executive committee that is designated the Faculty Committee. Appointments or reappointments to the University faculty are made by the Provost and Chief Academic Officer on the recommendations of the appropriate department chair and dean. The various categories in the University Faculty are listed below.

## A. Principal Faculty

Principal Faculty are individuals who are tenured or who are eligible for tenure holding the rank of Professor, Associate Professor, or Assistant Professor in an academic department. The role of the Principal Faculty is unique in that they are responsible for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life that relate directly to the educational process. The Principal Faculty also exercises its institutional commitment by participating in the shared governance of the University.

## B. Professional Librarians

Professional Librarians are individuals who work on a full-time basis in the Library and satisfy appropriate professional credentials. Professional Librarians are not eligible for tenure.

## C. Participating Faculty

Participating Faculty are full-time faculty members who hold the ranks of Teaching Professor or Senior Teaching Professor in an academic department, but are not eligible for tenure. The typical responsibilities include teaching and service, and may also include additional departmental duties.

## D. Visiting Faculty

Visiting Faculty are individuals who serve at the University on a temporary basis. Visiting Faculty appointments may be made for a specific length of time not to exceed three years; however, in an exceptional case, and for good reason, an additional year may be granted by the Provost and Chief Academic Officer. Visiting Faculty are not eligible for tenure.

## E. Adjunct Faculty

Adjunct Faculty are individuals who teach, perform research, or perform service part time in an academic area of the University. Adjunct Faculty are not eligible for tenure.

## F. Affiliated Faculty

Affiliated Faculty provide monitoring and supervision of Xavier students, but draw no salary from the University. Affiliated Faculty are not eligible for tenure.

## G. Emeritus Professor

The rank of Emeritus Professor may be granted to individuals who have served as Principal Faculty members for ten consecutive years prior to retirement from the University. This rank is granted by recommendation of the Dean of the retiring faculty member's college and with the approval of the Provost and Chief Academic Officer.

The rank of Emeritus Professor may be granted posthumously to individuals who have served as Principal Faculty members for ten consecutive years and were still serving full time prior to death. This rank is granted by recommendation of the Dean of the deceased faculty member's college and with the approval of the Provost and Chief Academic Officer.

<sup>1</sup> *Constitution of the Faculty Assembly of Xavier University*

Copies of the Constitution are available in the office of the Provost and Chief Academic Officer.

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## SECTION II – XAVIER UNIVERSITY MISSION STATEMENT

Xavier is a Jesuit Catholic university rooted in the liberal arts tradition. Our mission is to educate each student intellectually, morally, and spiritually. We create learning opportunities through rigorous academic and professional programs integrated with co-curricular engagement. In an inclusive environment of open and free inquiry, we prepare students for a world that is increasingly diverse, complex and interdependent. Driven by our commitment to educating the whole person, promoting the common good, and serving others, the Xavier community challenges and supports all our members as we cultivate lives of reflection, compassion and informed action.

Effective December 1, 2017.

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## SECTION III – OBLIGATIONS OF THE PRINCIPAL FACULTY

## A. Participation in Mission

Xavier shares many of the purposes of all universities and has some distinctive ones of its own. These purposes are articulated in the University Mission Statement. The Mission of the University is enlightened by the documents of the Second Vatican Council and by recent General Congregations of the Society of Jesus. Faculty members participate in the Mission through their teaching, scholarship, and service. In their teaching, they encourage critical thinking and articulate expression with special attention given to ethical issues and values. In their service to the institution and to the broader community they give evidence of a commitment to others and of a sharing of one's gifts. In their scholarship, they seek to better society and enhance their teaching by advancing knowledge.

## B. Duties and Responsibilities

To further the Mission of the University the duties of a faculty member include teaching, scholarly activity, advising students and service to the University. Faculty members are expected to demonstrate their commitment to Jesuit, Catholic, liberal education by their acceptance of the Mission Statement and to promote the principles and ideals upon which the University stands, without prejudice to academic freedom. Faculty members should avoid actions which could bring reproach or criticism upon the faculty or University except as the principles of academic freedom may affect such matters.

Each year a faculty member's responsibilities will be specified by the Dean through the Department Chair. The full-time teaching responsibility is a maximum of twenty-four credit hours per academic year (as defined in Section IX). It is understood that the normal breakdown for the twenty-four credit hours will be twelve credit hours per semester. Deviations from the normal twelve credit hours per semester by more than two credit hours will require the approval of the faculty member, the faculty member's Chair, and the faculty member's Dean. A faculty member whose scholarly activities meet the norms of scholarship given in Section VI - Norms for Evaluation of Faculty, as judged by the Dean, is eligible to receive a reduced teaching assignment.

A faculty member who chairs a Department, directs a University program, or undertakes other administrative duties such as significant curricular development is eligible to receive a reduced teaching assignment.

## C. Extramural Activity

1. Xavier University requires that all Principal Faculty fully devote themselves to their University duties and responsibilities. It is understood that membership on the Principal Faculty is inconsistent with significant employment outside the institution. The University recognizes that its faculty members are professionals with professional commitments. As such, they may wish to enter into continuing relationships with government, professional agencies and public or private organizations. The University therefore approves and encourages such activities, when they are consistent with the mission of the University and do not unduly reduce the faculty member's attention to University academic responsibilities.
2. Teaching for another institution or engaging in extensive extramural activity requires written permission from the Dean through the Department Chair. A record of this approval shall be maintained in the faculty member's permanent file.
3. Faculty members should exercise caution to ensure that no conflict of interest exists between their University position and their extramural activity. When there is significant cost to the University for use of equipment, materials or facilities, a written agreement must exist between the faculty member and the University.



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## SECTION IV- STATEMENT ON PROFESSIONAL ETHICS

Xavier University endorses the principles and standards presented in the following AAUP Statement on Professional Ethics:

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### Statement on Professional Ethics ACADEME – July-August 1987

The statement that follows, a revision of a statement originally adopted in 1966, was approved by Committee B on Professional Ethics, adopted by the Council as Association policy, and endorsed by the Seventy-third Annual Meeting in June 1987.

#### Introduction

From its inception, the American Association of University Professors has recognized that membership in the academic profession carries with it special responsibilities. The Association has consistently affirmed these responsibilities in major policy statements, providing guidance to professors in such matters as their utterances as citizens, the exercise of their responsibilities to students and colleagues, and their conduct when resigning from an institution or when undertaking sponsored research.<sup>2</sup> The Statement on Professional Ethics that follows sets forth those general standards that serve as a reminder of the variety of responsibilities assumed by all members of the profession.

In the enforcement of ethical standards, the academic profession differs from those of law and medicine, whose associations act to assure the integrity of members engaged in private practice. In the academic profession, the individual institution of higher learning provides this assurance and so should normally handle questions concerning propriety of conduct within its own framework by reference to a faculty group. The Association supports such local action and stands ready, through the general secretary and Committee B, to counsel with members of the academic community concerning questions of professional ethics and to inquire into complaints when local consideration is impossible or inappropriate. If the alleged offense is deemed sufficiently serious to raise the possibility of adverse action, the procedures should be in accordance with the 1940 Statement of Principles on Academic Freedom and Tenure, the 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings, or the applicable provisions of the Association's Recommended Institutional Regulations on Academic Freedom and Tenure.

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<sup>2</sup> 1961 Statement on Recruitment and Resignation of Faculty members

1964 Committee A Statement on Extramural Utterances (Clarification of sec. 1c of the 1940 Statement of Principles on Academic Freedom and Tenure)

1965 On Preventing Conflicts of Interest in Government-Sponsored Research at Universities

1966 Statement on Government of Colleges and Universities

1967 Joint Statement on Rights and Freedoms of Students

1970 Council Statement on Freedom and Responsibility

1976 On Discrimination

1984 Sexual Harassment: Suggested Policy and Procedures for Handling Complaints

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### The Statement

- I Professors, guided by a deep conviction of the worth and dignity of the advancement of knowledge, recognize the special responsibilities placed upon them. Their primary responsibility to their subject is to seek and to state the truth as they see it. To this end professors devote their energies to developing and improving their scholarly competence. They accept the obligation to exercise critical self-discipline and judgment in using, extending, and transmitting knowledge. They practice intellectual honesty. Although professors may follow subsidiary interests, these interests must never seriously hamper or compromise their freedom of inquiry.
- II. As teachers, professors encourage the free pursuit of learning in their students. They hold before them the best scholarly and ethical standards for their discipline. Professors demonstrate respect for students as individuals and adhere to their proper roles as intellectual guides and counselors. Professors make every reasonable effort to foster honest academic conduct and to assure that their evaluations of students reflect each student's true merit. They respect the confidential nature of the relationship between professor and student. They avoid any exploitation, harassment, or discriminatory treatment of students. They acknowledge significant academic or scholarly assistance from them. They protect their academic freedom.
- III. As colleagues, professors have obligations that derive from common membership in the community of scholars. Professors do not discriminate against or harass colleagues. They respect and defend the free inquiry of associates. In the exchange of criticism and ideas professors show due respect for the opinions of others. Professors acknowledge academic debt and strive to be objective in their professional judgment of colleagues. Professors accept their share of faculty responsibilities for the governance of their institution.
- IV. As members of an academic institution, professors seek above all to be effective teachers and scholars. Although professors observe the stated regulations of the institution, provided the regulations do not contravene academic freedom, they maintain their right to criticize and seek revision. Professors give due regard to their paramount responsibilities within their institution in determining the amount and character of work done outside it. When considering the interruption or termination of their service, professors recognize the effect of their decision upon the program of the institution and give due notice of their intentions.
- V. As members of their community, professors have the rights and obligations of other citizens. Professors measure the urgency of these obligations in the light of their responsibilities to their subject, to their students, to their profession, and to their institution. When they speak or act as private persons they avoid creating the impression of speaking or acting for their college or university. As citizens engaged in a profession that depends upon freedom for its health and integrity, professors have a particular obligation to promote conditions of free inquiry and to further public understanding of academic freedom.

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## SECTION V – ACADEMIC FREEDOM

- A. The very existence of the university presupposes its commitment to an environment in which every faculty member is free to search for truth and to articulate judgments. This freedom applies to both teaching and research. Freedom in research is essential to the advancement of truth. Freedom in teaching is essential for the teacher and the student. Hence the right to free inquiry and to free and open discussion must be vigorously safeguarded within the University, so that students will be able to learn in an environment where the free exchange of ideas is valued and encouraged.
- B. The faculty and administration of Xavier University recognize that teachers may legitimately formulate theories, adopt conclusions and express opinions in their disciplines and areas of special competence which are not commonly understood or accepted, even within the University community. Faculty make such formulations in the light of their responsibilities to their subject matter, to their students, to their profession and to the institution. At such times the University will be especially conscious of its obligations to defend the basic right of free inquiry and expression, which is the heart of academic freedom. At the same time, reasoned criticism of the theories, conclusions and opinions of a faculty member will be regarded as an integral part of the free inquiry and open discussion to which the University is dedicated.
- C. When faculty members speak or write as citizens, they are free from institutional censorship and discipline, but their special position in the community imposes special obligations. As persons of learning and education, they should at all times be accurate, exercise appropriate restraint, and show respect for the opinions of others. While faculty may use their University affiliation when speaking or writing, they are obliged to indicate that they are not speaking for the institution when the subject is controversial.
- D. Faculty members must avoid any exploitations, harassment or discriminatory treatment of students. Faculty and administrators must avoid using their positions to force their own opinions on students. Reasonable efforts must be made to ensure that students are not evaluated according to whether they seem to accept the personal opinions of their teachers. Students should not be penalized or in any way disadvantaged, should they raise objections to, or propose arguments against, the personal opinions expressed by their instructors. Thus faculty members and administrators ensure the academic freedom of students.
- E. If faculty members allege that their academic freedom has been violated, then the faculty members should discuss this situation with the appropriate administrative officers: the Department Chair, the Dean, and the Provost and Chief Academic Officer. If the matter can be resolved at this level by mutual consent, then documentation of the resolution should be developed. If the matter cannot be resolved at this level, then the faculty member may take the matter to the Faculty Hearing Committee.

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## SECTION VI – NORMS FOR EVALUATION OF PRINCIPAL FACULTY

Neither retention nor promotion in rank comes automatically through length of service or through satisfactory teaching performance and scholarship; rather, retention and promotion are dependent on continued growth in professional competence, according to the criteria listed below:

### A. Teaching

Xavier University's essential activity is the education of its members through the interaction of students and faculty. This experience is characterized by critical thinking and articulate expression, with special attention given to ethical issues and values. Thus, the evaluation of faculty in the area of teaching must be an assessment of the faculty member's success in fulfilling this mission. The faculty member must develop the students' intellectual skills, expose the underlying philosophical and theological implications in the discipline, where applicable, and present a world view through the discipline that is consistent with responsible action and human values. To accomplish this the faculty member must manifest academic excellence and academic honesty; must be devoted to the advancement of knowledge and its dissemination; must represent to the students the highest scholarly and ethical qualities within the discipline, and must promote intellectual inquiry through rigorous application of the appropriate methodology. The students of Xavier University deserve to be challenged and transformed by experiencing the highest standards of each discipline they study. Faculty who are successful in this are judged to have fulfilled the University's mission in teaching.

### B. Scholarship

Xavier University is committed to the advancement of knowledge and to the integration and application of knowledge through scholarly activity. In addition, the University holds that the learning process is enhanced when the teacher is actively engaged in scholarly activity. The University believes in the primacy of the teacher/scholar model as a means of achieving its mission to educate. It is generally recognized that a scholar has a wide and critical command of a given discipline. Therefore, acceptable scholarly activity should serve to extend existing knowledge, further the integration and application of knowledge within the faculty member's discipline, and/or enhance the educational value of instructional efforts, either in a particular discipline or across discipline boundaries. Scholarship is normally evidenced by writings resulting in publications and presentations, as well as artistic creations resulting in performances and exhibitions. Scholarship is characterized by certain marks. The work is public. The work is an object of critical peer review and evaluation. The work is a source of continuing development in the scholar's discipline.

### C. Service

In keeping with the purpose of a Jesuit Catholic University to educate women and men whose lives will be lived for others, Faculty are expected to give evidence of an involvement with and a commitment to others, with a view to sharing one's gifts and educational advantages. In addition to maintaining a habit of availability to students and colleagues, faculty have numerous possibilities for service at the Departmental, College, and University levels, in the wider human community and in their disciplines. A sign of the University's commitment to society is our faculty's participation in community service.

Faculty are well advised to develop a substantial and steady record of service throughout their careers at Xavier. Those in their probationary years are cautioned not to become too involved in service activities if this involvement is at the expense of achieving success as teachers and scholars. Tenured faculty at the higher ranks are expected to achieve laudable roles as academic leaders through continuing effective service to the University.

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## SECTION VII – NORMS FOR TENURE AND ADVANCEMENT OF PRINCIPAL FACULTY

### A. Tenure: General Principles

The purpose of tenure is to create an environment in which academic freedom is ensured and protected. The rank of Associate Professor or Professor is normally required for tenure. Upon receiving tenure, a faculty member becomes a permanent member of the academic body of the University, with the right of continued employment unless there be grave reasons for dismissal. Because tenure constitutes a serious commitment by the University and because an exemplary faculty is essential to the quality of the University, the standards for tenure are high. To be eligible for tenure, faculty members must demonstrate levels of achievement in the areas of teaching, scholarship and service that exceed those levels required for continued employment during the probationary period.

The tenured faculty, through peer evaluations and representation on the Rank and Tenure Committee, bear the primary responsibility for ensuring that tenure is conferred judiciously. Hence, the conferring of tenure is in effect a public statement that the tenured faculty members are proud to have the tenure candidate as a permanent colleague. It follows that tenured faculty are expected to continue those efforts which tenure rewards and to perform at high levels with respect to teaching, scholarship and service.

### B. Criteria for Promotion to Associate Professor with Tenure

Promotion of Principal Faculty to the rank of Associate Professor with tenure is based on the norms for the evaluation of faculty expressed in Section VI, and in particular requires the following:

1. Possession of the appropriate doctorate or terminal degree.
2. Six probationary years in the rank of Assistant Professor at Xavier University. Except by written agreement between a faculty member and the Provost and Chief Academic Officer at the time of the initial appointment, up to three years of prior experience at an accredited institution at the rank of Assistant or above may count towards the six probationary years, or in the situation of an early tenure application as described in Section X: Procedures for Tenure and Promotion, in which cases fewer than six years are necessary.
3. Teaching, scholarship and service.
  - a. Promotion to the rank of Associate Professor requires demonstrated excellence in teaching. Faculty who effectively challenge and transform students by fostering their understanding of the various methodologies and disciplines of the academy are judged to have demonstrated excellence in teaching. This judgment must be supported by evidence from appropriate sources: the faculty member, students, colleagues, program directors, the Department Chair, and the Dean. Examples of evidence include student evaluations and peer assessments of teaching observed over the term of the probationary period.

The Department and the Dean present assessments of teaching excellence to the Rank and Tenure Committee, so they must use their experience to evaluate critically all the evidence available.

- b. Promotion to the rank of Associate Professor requires appropriate scholarship as defined in Section VI, Norms, that are recognized and evaluated by peers in the profession. Each Department, with the concurrence of the Dean and the approval of the Provost and Chief Academic Officer, bears responsibility for identifying the importance given to various kinds



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of scholarly activity and for evaluating the quality of appropriate discipline-related scholarly activities. It is expected that the required scholarship may vary in form among departments. When the University Rank and Tenure Committee reviews applications for tenure, it should take into consideration the varying scholarship expectations from a candidate's department.

- c. Consonant with the previous statements on advising and service expected of all Principal Faculty, in order to be tenured and promoted to Associate Professor there must be clear evidence of active participation in service at the Department, College or University levels.

All service must be deemed by the Department and Dean to constitute a positive contribution to the general good and welfare of the University.

Faculty serve the University in the following ways: membership on standing and ad hoc committees, participation in recruiting endeavors, assisting in University Development and Public Relations activities, serving as a moderator to student organizations, participation in University ministry, service rendered to the individual's profession, and participation in other activities appropriately related to the Mission and to the general good and welfare of the University and to the benefit of society.

#### C. Criteria for Promotion to Rank of Professor

Promotion of Principal Faculty to the rank of Professor is based on the norms for evaluation of faculty expressed in Section VI and in particular requires the following:

1. Promotion to the rank of Professor requires the demonstration of a sustained level of achievement in teaching that is judged to be outstanding. Faculty who not only effectively challenge and transform students, but who also mentor colleagues, and who provide leadership in pedagogic and curricular development for Department, college, or university, are judged to be outstanding. This judgment must be supported by evidence from appropriate sources: the faculty member, students, colleagues, program directors, the Department Chair and the Dean. Examples of evidence include student evaluations and peer assessments of teaching observed during the time while an Associate Professor.
2. Promotion to the rank of Professor requires evidence of ongoing scholarship and a notable record of scholarly contributions that are recognized and given positive evaluations by the scholarly community.
3. Promotion to the rank of Professor requires evidence of shared governance: effective leadership within the university, participation in significant, ongoing service, and engagement in activities that promote the core values of the University.

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## SECTION VIII – ANNUAL REVIEW OF ALL PRINCIPAL FACULTY

All Principal Faculty will be evaluated annually by their Department Chair, following a process determined by the appropriate college Dean. The basis for this evaluation will be achievement in the areas of teaching, scholarship and service. The sources of information for the annual evaluation include: an annual update, student evaluations, publications and other pertinent information. The annual update is prepared by each member of the Principal Faculty and contains a summary statement for each of the three areas of teaching, scholarship, and service. The annual evaluation by the Chair results in a written report shared with the faculty member that serves as the basis for contract renewals and merit increases. This report is added to the individual's official academic file in the Office of the Provost and Chief Academic Officer and will be included in the portfolio for tenure and promotion.

In the case of probationary faculty, the annual update includes progress made with respect to an ongoing plan for scholarly activity, which was developed during the first year of employment.

All other faculty will be evaluated annually by the Department Chair, following a process determined by each college Dean. The norms applied to adjunct faculty parallel the norms for Principal Faculty with special emphasis on teaching and less emphasis on service and research.

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## SECTION IX – CONTRACTUAL STATUS OF THE PRINCIPAL FACULTY

### A. General Principles

1. Employment of all Principal Faculty shall be by a formal letter of appointment signed by the faculty member and the Provost and Chief Academic Officer. Unless otherwise stipulated the contract period runs from the beginning of the Fall semester (defined as five weekdays prior to the first day of undergraduate classes) through Commencement. This period is designated the academic year.
2. All faculty contracts are bilateral and cannot be terminated during their term except by mutual agreement or for cause.
3. The University normally notifies all Principal Faculty of the terms and conditions of their following year's employment by June 10.

### B. Faculty Eligible for Tenure

Appointments are for one academic year. These contracts cannot be terminated during the period of the contract, except by mutual consent or for cause. During the first five years of the probationary period, reappointment is recommended to the Provost and Chief Academic Officer on an annual basis by the Department Chair and the Dean. A recommendation for non-reappointment requires that the Dean consult with the tenured members of the faculty in that Department.

It is the responsibility of the Department Chairs to provide annual written performance evaluations based on the conditions for reappointment to faculty members in their departments who are eligible for tenure.

The necessary conditions for reappointment include:

1. teaching effectiveness as judged by: classroom visitation by Xavier faculty, examination of classroom materials, student evaluations, or other appropriate techniques;
2. the existence of an ongoing plan for scholarly activity, and sufficient progress to suggest that the plan can be accomplished before the tenuring year;
3. evidence of effective participation in the academic life of the Department and the University; and
4. the absence of documented problems that are unrectified.

Positive annual evaluations do not assure the eventual granting of tenure and promotion. The sufficient condition for a positive recommendation is that such action fulfills the major responsibility of the institution to retain the best qualified faculty possible.

The University is under no obligation to formally justify or show cause for any decision not to renew a nontenured appointment. When a decision is made not to renew a faculty member's contract or to offer a terminal contract, that faculty member is advised privately by the Provost and Chief Academic Officer of the reasons for that decision. If the faculty member wishes that a statement of these reasons be communicated in writing, such a statement will be provided by the Provost and Chief Academic Officer.

If the University has decided not to renew a nontenured appointment, notice of nonrenewal is given to the faculty member in writing no later than March 1 of the first academic year of service. During the second year of service, notice is given no later than December 15. In subsequent years of employment, notice is given by March 15 of the year before the terminal year.



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C. Tenured Faculty

The employment of tenured faculty members is permanent and can only be terminated by the University for grave cause or financial exigency as defined in Section XIV. Salary shall normally be negotiated on an annual basis. Tenured faculty members who wish to resign are obliged to tender written notice to this effect before signing a contract for the next academic year. It is understood that the effective date of any resignation shall not fall within an academic session.

## SECTION X – PROCEDURES FOR TENURE AND PROMOTION

### A. General Principles and Committee Composition

1. Only Principal Faculty are eligible for promotion and tenure. Faculty members who wish to be considered for promotion and tenure apply using a set of prescribed forms and direction available in the Office of the Provost and Chief Academic Officer. It is the responsibility of the faculty members to know the status of their eligibility, the appropriate calendar, and the prescribed processes. The University keeps faculty informed of their progress toward tenure through annual evaluations and the Mid-tenure Review process.

Faculty members who fail to apply during the final probationary year are not evaluated for tenure and are sent a terminal contract for the next academic year and may apply for non-tenure track positions at the University. In such cases, the only reason that is required to be given is that the faculty member failed to apply.

When tenure is proposed along with an initial appointment, the individual must meet the norms for a senior rank of Associate Professor or Professor in an appropriate Department at Xavier. In these instances, the President receives written recommendations from the Department Rank and Tenure Committee, Department Chair, Dean, University Rank and Tenure Committee, and the Provost and Chief Academic Officer. These written recommendations must judge whether the individual meets the norms for the rank of Associate Professor or Professor as specified in Section VI of the Handbook. The President approves or disapproves the recommendation and if approved, the recommendation is forwarded to the Board of Trustees for its approval or disapproval.

Faculty members who unsuccessfully apply for tenure will receive a terminal contract for the next academic year, and may apply for non-tenure track positions at the University. Faculty members may not apply for tenure again after an unsuccessful application or after failing to make a timely application.

2. Department Rank and Tenure Committee

The Department Rank and Tenure Committee consists of all tenured faculty in the Department, not including the Chair. In the event the Department does not have at least three tenured faculty to participate in the process, the Dean, in consultation with the Department Chair, may appoint appropriate tenured Principal Faculty from outside the Department to achieve a total of at least three members on the Committee. The Dean may appoint from within the Department a nontenured Principal Faculty or Participating Faculty as a resource person for the Committee.

3. University Rank and Tenure Committee

The University Rank and Tenure Committee is comprised of voting members who hold the rank of (full) Professor, with one member coming from the College of Nursing, two members coming from Williams College of Business, two members coming from the College of Professional Sciences, and three members coming from the College of Arts and Sciences, with one or two of these members from the following Departments: Biology, Chemistry, Physics, Mathematics, and Computer Science. The Provost and Chief Academic Officer is the chairperson and is a non-voting member. Each year the Principal Faculty elect, in a fixed rotation, two or three full professors to the University Rank and Tenure Committee for a three-year term. A general principle of membership on this Committee shall be that no one person shall have more than one deliberative role in the process for an individual faculty member seeking tenure and promotion. A “deliberative role” refers to having one’s judgment concerning the tenure and promotion of an individual faculty member formally recorded and used (e.g., in the respective letters of the Department Rank and Tenure Committee, the Department Chair or the Dean of the College, or in the formal vote of the University Rank and Tenure Committee.) Members of the University Rank and Tenure Committee

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will not serve on the Department Rank and Tenure Committee. In the event that candidates come forward from their Department, Department Chairs on the University Rank and Tenure Committee will recuse themselves from the Committee during all aspects of the review of candidates from their department.

The Principal Faculty of the College will seek to nominate two full professors for each opening on the Committee for that College, and members of the University Rank and Tenure Committee are elected by the Principal Faculty of the University. In the event that a College does not have an eligible faculty member who is willing to serve, the open position will remain vacant.

**B. Promotion to Associate Professor**

An Assistant Professor must apply for tenure and promotion to Associate Professor at the same time, and promotion to Associate Professor will be awarded, or not, together with tenure. An Assistant Professor must apply not later than the sixth year, or the final probationary year, as specified in the initial hiring agreement. An Assistant Professor may apply for promotion and tenure as early as the third year of continuing employment at Xavier in a faculty position unless otherwise agreed at the time of initial appointment.

**C. Promotion to Professor**

A Principal Faculty member may apply for promotion to Professor after holding the rank of Associate Professor with or without tenure at Xavier for at least five years. Thus, the earliest a candidate may apply is in the sixth year in rank of Associate Professor. An Associate Professor may apply for promotion to Professor and tenure at the same time if tenure has not already been granted.

**D. Nontenured Associate Professors and Professors**

Nontenured Associate Professors and Professors must apply for tenure in the final probationary year, as determined by the initial hiring agreement, but may apply for tenure as early as the second year of their continuing employment at Xavier.

**E. Early Application**

An Assistant Professor may apply early for tenure and promotion to Associate Professor, and nontenured Associate Professors and Professors may apply early for tenure. An early application will be judged against the same standards as those applications made in the final probationary year. If a candidate is unsuccessful in an early application, the unsuccessful candidate will be sent a terminal contract for the next academic year and will not be given a second opportunity to apply for tenure. An unsuccessful candidate may apply for non-tenure track positions at the University. If an unsuccessful candidate wishes to appeal the University's rank or tenure decision, that candidate should follow the appeal process described in Subsection G.

**F. Process**

Tenure is conferred by the Board of Trustees upon the recommendation of the President. The President takes a recommendation to the Board after receiving the recommendation of the Rank and Tenure Committee, which is conveyed to the President by the Provost and Chief Academic Officer. Promotion in rank is awarded by the President after receiving the recommendation of the Rank and Tenure Committee, which is conveyed to the President by the Provost and Chief Academic Officer.

**G. Procedure for Applying for Tenure and Promotion**

Following the submission timeline of the University Rank and Tenure Committee, applications and supporting materials for tenure and promotion are loaded onto the University Rank and Tenure electronic site. The Chair loads the mid-tenure review evaluation and all annual evaluations. Both the Chair and the Department Rank and Tenure Committee, or just the Department Rank and Tenure Committee in the case of a Chair seeking tenure or promotion, evaluate the portfolio and then submit separate and independent recommendations to the University Rank and Tenure electronic site. Department Chairs do not vote or participate in any deliberations of the Department Rank and Tenure Committee, but they are available, as a resource to the Department Rank and Tenure Committee at the request of that Committee.

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The Dean evaluates the candidate's portfolio and loads a separate recommendation to the University Rank and Tenure electronic site.

The University Rank and Tenure Committee examines the faculty member's portfolio and the recommendations provided by the Department Rank and Tenure Committee, the Department Chair, and the Dean and makes its recommendation to the President through the Provost and Chief Academic Officer. The Dean of the College may serve as a resource to the University Rank and Tenure Committee at the request of that Committee. Other relevant parties may also serve as a resource to the University Rank and Tenure Committee at the request of that Committee. The Provost and Chief Academic Officer may disagree with the recommendation of the committee. In that case, both the University Rank and Tenure Committee's recommendation and the Provost and Chief Academic Officer's recommendation are forwarded to the President.

At the end of the process, the faculty member is entitled to know the nature of the recommendation rendered by each of the following: the Department Rank and Tenure Committee, the Chair, the Dean, the University Rank and Tenure Committee, and the Provost and Chief Academic Officer.

The University Rank and Tenure Committee makes the decision on its recommendation by a formal vote with a majority rule. A record must be kept of each member's vote on the final recommendation for tenure and promotion. The University Rank and Tenure Committee must formulate reasons for each of its recommendations and a statement of these reasons must be circulated to the members of the committee. A record must be kept of each member's assent to the statement of reasons as representing the majority position. The faculty member is entitled to know the reasons for the recommendations by the University Rank and Tenure Committee, but not the positions of individual committeemembers.

Additionally, an unsuccessful candidate may review the materials prepared by the Department Rank and Tenure Committee, the Department Chair or Program Director, the Dean of the College, and the University Rank and Tenure Committee in order to prepare an appeal, if desired. An unsuccessful candidate may also request a meeting with the Department Chair and/or Dean to discuss the reasons for denial. Any appeal of an unfavorable rank or tenure decision will be heard by the Faculty Hearing Committee pursuant to the process described in Section XIII – The Faculty Hearing Committee.

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## SECTION XI – PROCEDURES FOR MID-TENURE REVIEW OF NONTENURED PRINCIPAL FACULTY

Nontenured Principal Faculty are reviewed during the third year if the final probationary year is the sixth or fifth, or the second year if their final probationary year is the fourth or third. The schedule for mid-tenure review is announced annually by the Office of the Provost and Chief Academic Officer.

A faculty member must submit to the University Rank and Tenure electronic site an up-to-date curriculum vitae, evidence of teaching effectiveness, and a one to two-page analysis of the faculty member's teaching, scholarship and service at Xavier University.

Both the Chair or the Director and the Department Rank and Tenure Committee submit separate evaluations of the candidate's progress toward tenure to the University Rank and Tenure electronic site. Department Chairs or Department Directors as the case may be do not vote or participate in any deliberations of the Department Rank and Tenure Committee, but they are available, as a resource to the Department Rank and Tenure Committee at the request of that Committee.

The Dean submits a separate evaluation to the University Rank and Tenure electronic site. As is the case for the candidates for promotion and/or tenure, members of the University Rank and Tenure Committee will not serve on the Department Rank and Tenure Committee for mid-tenure review. In the event that candidates for mid-tenure review come forward from their Department, Department Chairs or Department Directors on the University Rank and Tenure Committee will recuse themselves from the Committee during all aspects of the mid-tenure review of candidates from their Department.

An evaluation of the faculty member's progress toward tenure is rendered by the University Rank and Tenure Committee and is communicated to the faculty member, the Dean, and the Department Chair or Department Director in writing. The Dean of the College may serve as a resource to the University Rank and Tenure Committee at the request of that Committee. Other relevant parties may also serve as a resource to the University Rank and Tenure Committee at the request of that Committee. A faculty member may request a meeting with the Department Chair and Dean to discuss the outcome of the mid-tenure review. The faculty member will make this request of the Department Chair, who will schedule the meeting with the faculty member, the Chair and the Dean. The meeting, if requested, should occur within a reasonable time, but not later than the end of the current semester.

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## SECTION XII – TEACHING PROFESSORS, CONTRACTUAL STATUS OF PARTICIPATING FACULTY, NORMS FOR ANNUAL REVIEW, EVALUATION AND PROMOTION OF PARTICIPATING FACULTY

### A. Teaching Professor Appointment and Promotion

#### 1. New Teaching Professor Positions

Teaching Professor positions will be created after careful review of individual position circumstances by a department and college, must have the joint approval of the department and Dean, and must be approved by the Provost and Chief Academic Officer and through normal University procedure.

#### 2. Hiring Procedure

The Process for identifying and evaluating candidates for initial appointment to teaching professor positions will follow the same faculty search committee procedures as for traditional tenure-track appointments. Announcements and position descriptions will clearly state the nature of the position.

#### 3. Process of Promotion from Teaching Professor to Senior Teaching Professor

##### (a) General Principles

It is the responsibility of the faculty members to know the status of their eligibility, the appropriate calendar, and the prescribed processes. The University keeps faculty informed of their progress toward advancement through annual evaluations.

##### (b) Department Promotion Committee Composition

The Department Promotion Committee consists of all Tenured Faculty in the Department, not including the Chair or School Director. On the recommendation of a Department Chair or School Director, a Senior Teaching Professor may participate. In the event the Department does not have at least three faculty members who are tenured to participate in the process, the Dean, in consultation with the Department Chair or School Director, may appoint appropriate Tenured Faculty from outside the Department to achieve a total of at least three members on the Committee. The Dean may appoint from within the Department a non-tenured Principal Faculty member or Senior Teaching Professor as a resource person for the Committee.

##### (c) Procedure for Applying for Promotion

Applications for promotion are made to the Department Chair or School Director. Upon receiving the candidate's portfolio, consisting of the application and supporting material, the Chair or School Director forwards a copy of these items together with all annual evaluations to the Department Promotion Committee. Both the Chair or School Director and the Department Promotion Committee, evaluate the portfolio and then submit separate and independent recommendations to the Dean of the College. The candidate's application and supporting material are forwarded by the Department Chair or School Director to the Dean of the college. Upon receiving the candidate's portfolio, the Dean evaluates it and makes a separate recommendation to the Provost and Chief Academic Officer. The Provost and Chief Academic Officer receives all of the foregoing and after review and consideration makes the final decision whether or not to grant promotion. At the end of the process, the faculty member is entitled to know the nature of the recommendation rendered by each of the following: the Department Promotion Committee, the Chair or School Director, the Dean, and the Provost and Chief Academic Officer.



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B. Contractual Status of Participating Faculty

1. General Principles

- (a) Employment of all Participating Faculty shall be by a formal letter of appointment signed by the faculty member and the Provost and Chief Academic Officer. Unless otherwise stipulated the contract period runs from the beginning of the Fall semester (defined as five weekdays prior to the first day of undergraduate classes) through Commencement. This period is designated the academic year.
- (b) All Participating Faculty contracts are bilateral and cannot be terminated during their term except by mutual agreement, financial exigency in the case of Senior Teaching Professors as referenced in subparagraph 3 below, or for cause.
- (c) The University normally notifies all Teaching Professors of the terms and conditions of their following year's employment by June 10.

2. Teaching Professors

Appointments are for one academic year. These contracts cannot be terminated during the period of the contract except by mutual consent or for cause. Reappointment is recommended to the Provost and Chief Academic Officer on an annual basis by the Department Chair or School Director and the Dean.

It is the responsibility of the Department Chair or School Director to provide annual written performance evaluations based on the conditions for reappointment to faculty members in their departments.

The necessary conditions for reappointment include:

- i. teaching effectiveness as judged by: classroom visitation by Xavier faculty, examination of classroom materials, student evaluations, or other appropriate techniques.
- ii. (if applicable) effectiveness in any other duties as specified by the job description and assigned by the Department Chair or School Director;
- iii. evidence of effective participation in the academic life of the Department and the University; and
- iv. the absence of documented problems that are unrectified.

Positive annual evaluations do not assure the eventual granting of promotion to Senior Teaching Professor. The sufficient condition for a positive recommendation is that such action fulfills the major responsibility of the institution to retain the best qualified faculty possible.

When a decision is made not to renew a Teaching Professor's contract or to offer a terminal contract, that faculty member is advised privately by their Department Chair or School Director of the reasons for that decision. If the faculty member wishes that a statement of these reasons be communicated in writing, such a statement will be provided by the Department Chair or School Director. If the University has decided not to renew an appointment, notice of non-renewal is given to the faculty member in writing before the ensuing academic year but no later than March 15.

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### 3. Senior Teaching Professors<sup>3</sup>

The minimum appointment for Senior Teaching Professors will be two (2) years. For those faculty who have been employed in a Senior Teaching Professor position for at least six (6) years, the minimum appointment will be three (3) years. The minimum appointment may be renewed or extended only on mutually agreeable terms. Salary is reviewed each year. Teaching Professors who are promoted to the rank of Senior Teaching Professor are eligible for a structural adjustment to their salary.

These contracts cannot be terminated during the period of the contract, except by mutual consent, financial exigency as described in Section XIV B., or for cause. Reappointment is recommended to the Provost and Chief Academic Officer on an annual basis by the Department Chair or School Director and the Dean.

It is the responsibility of the Department Chair or School Director to provide annual written performance evaluations based on the conditions for reappointment to faculty members in their departments.

The necessary conditions for reappointment include:

- i. teaching effectiveness as judged by: classroom visitation by Xavier faculty, examination of classroom materials, student evaluation, or other appropriate techniques;
- ii. (if appropriate) effectiveness in any other duties as specified by the job description and assigned by the Department Chair or School Director;
- iii. evidence of effective participation in the academic life of the Department and the University; and
- iv. the absence of documented problems that are unrectified.

When a decision is made not to renew a Senior Teaching Professor's contract, that faculty member is advised privately by the Provost and Chief Academic Officer of the reasons for that decision. If the faculty member wishes that a statement of these reasons be communicated in writing, such a statement will be provided by the Provost and Chief Academic Officer. If the University has decided not to renew a Senior Teaching Professor's appointment, the notice of non-renewal will be given to the faculty member in writing no later than March 15 before the ensuing academic year and the faculty member's employment will terminate at the conclusion of the term of the then existing appointment.

### C. Norms for Evaluation of Participating Faculty

Neither retention nor promotion in rank comes automatically through length of service or through satisfactory performance evaluations. Rather, retention and promotion are dependent on continued growth in professional competence, according to the criteria listed below:

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<sup>3</sup> "Clinical Faculty" and "Instructors" as defined in the previous Handbook and Academic Staff who have continuously served in such full-time capacity since at least 1999-2000 Academic Year are, upon application, immediately eligible to be granted the rank of Senior Teaching Professor, with the rights and benefits of Senior Teaching Professors employed in such position for six (6) years or longer; any such Faculty who have continuously served in such full-time capacity since between 2000-2007 Academic Year may apply for the position of Senior Teaching Professor starting in the 2017-18 Academic Year; and, all Faculty that meet applicable requirements may apply starting in the 2018-19 Academic Year.



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1. Teaching

Xavier University's essential activity is the education of its members through the interaction of students and faculty. This experience is characterized by critical thinking and articulate expression, with special attention given to ethical issues and values. Thus, the evaluation of Participating Faculty in the area of teaching must be an assessment of the faculty member's success in fulfilling this mission. The Participating Faculty member must develop the students' intellectual skills, expose the underlying philosophical and theological implications in the discipline, where applicable, and present a world view through the discipline that is consistent with responsible action and human values. To accomplish this the Participating Faculty member must demonstrate excellence in teaching and academic honesty; must be devoted to the advancement of knowledge and its dissemination; must represent to the students the highest scholarly and ethical qualities within the discipline, and must promote intellectual inquiry through rigorous application of the appropriate methodology. The students of Xavier University deserve to be challenged and transformed by experiencing the highest standards of each discipline they study. Participating Faculty who are successful in this are judged to have fulfilled the University's mission in teaching.

2. Service

In keeping with the purpose of a Jesuit Catholic University to educate women and men whose lives will be lived for others, Participating Faculty are expected to give evidence of an involvement with and a commitment to others, with a view to sharing one's gifts and educational advantages. In addition to maintaining a habit of availability to students and colleagues, Participating Faculty have numerous possibilities for service at the Departmental, College, and University levels, in the wider human community and in their disciplines. A sign of the University's commitment to society is our faculty's participation in community service.

3. Other Departmental Duties (if appropriate)

Participating Faculty who have other significant departmental duties must demonstrate consistent initiative and effort with beneficial results related to the execution of these duties.

#### D. Norms for Advancement of Participating Faculty

1. General Principles

Teaching Professors have the option to apply for the rank of Senior Teaching Professor. Seeking the rank or obtaining the rank of Senior Teaching Professor is not a requirement for the position of Teaching Professor. If promotion is denied, the candidate's job status is not in jeopardy. Teaching Professors whose requests for promotion are denied may reapply for promotion at their discretion.

To be eligible for promotion, Teaching Professors must demonstrate levels of achievement in their job duties that exceed those levels required for continued employment at the rank of Teaching Professor.

Promotion in rank does not come automatically through length of service or through satisfactory job performance rather, promotion is dependent on continued growth in professional competence, according to the criteria listed below:

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## 2. Criteria for promotion to Senior Teaching Professor

Promotion to the rank of Senior Teaching Professor is based on the norms of evaluation of Teaching Professors as set out above, and in particular requires the following:

- i. A minimum of six (6) years of consecutive full-time employment at the rank of Teaching Professor is ordinarily required. Thus, the candidate may apply for promotion to Senior Teaching Professor no earlier than their 6<sup>th</sup> year of consecutive service. By written agreement between a faculty member and the Provost and Chief Academic Officer at the time of initial appointment, a maximum of three (3) years of prior experience at an accredited institution at a rank equivalent to Senior Teaching Professor or above may count towards the six (6) years of experience required to qualify for promotion.
- ii. Teaching – Promotion to the rank of Senior Teaching Professor requires demonstrated excellence in teaching. Faculty who effectively challenge and transform students by fostering their understanding of the various methodologies and disciplines of the academy are judged to have demonstrated excellence in teaching. This judgment must be supported by evidence from appropriate sources including among others: the faculty member, students, colleagues, the School Director, the Department Chair, and the Dean.
- iii. Service – Consistent with the previous statements on service expected of all Teaching Professors, in order to be promoted to the rank of Senior Teaching Professor there must be clear evidence of active participation in service at the Department, College or University levels. All service must be deemed by the Department and Dean to constitute a positive contribution to the general good and welfare of the University

Faculty serve the University in the following ways: advising students, membership on standing and ad hoc committees, participation in recruiting endeavors, assisting in University Development and Public Relations activities, serving as an advisor to student organizations, participation in University ministry, service rendered to the individual's profession, and participation in other activities appropriately related to the Mission and to the general good and welfare of the University and to the benefit of society.

- iv. Other Departmental Duties – Teaching Professors who have other significant departmental duties must demonstrate a strong and sustained record of successful execution of these duties.

## E. Annual Review of All Participating Faculty

All Participating Faculty will be evaluated annually by their Department Chair or School Director following a process determined by the appropriate college Dean. The basis for this evaluation will be achievement in the areas of teaching, service, and other departmental duties (when appropriate). The sources of information for the annual evaluation include: an annual update, student evaluations, and other pertinent information. The annual update is prepared by each Participating Faculty member and contains a summary statement for each of the two areas of teaching, and service. The annual evaluation by the Chair, or School Director results in a written report shared with the Participating Faculty member that serves as the basis for contract renewals and merit increases. This report is added to the individual's official academic file in the Office of the Provost and Chief Academic Officer and will be included in the portfolio for promotion.

## F. Extramural Activity

- a. Xavier University requires that all Participating Faculty fully devote themselves to their University duties and responsibilities. It is understood that membership on the Participating Faculty is inconsistent with significant employment outside the institution. The University

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recognizes that its faculty members are professionals with professional commitments. As such, they may wish to enter into continuing relationships with government, professional agencies and public or private organizations. The University therefore approves and encourages such activities, when they are consistent with the mission of the University and do not unduly reduce the faculty member's attention to University academic responsibilities.

- b. Teaching for another institution by Participating Faculty or engaging in extensive extramural activity requires written permission from the Dean through the Department Chair. A record of this approval shall be maintained in the faculty member's permanent file.

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## SECTION XIII – THE FACULTY HEARING COMMITTEE

- A. The Faculty Hearing Committee is a standing committee of the University composed of five tenured members of the faculty. Four members of this committee serve staggered three-year terms and are elected by the Principal Faculty following nominations from each College, such that each College has one member on the committee. One additional member is appointed by the President and serves a three-year term. Each year, the members of the committee elect a Chair from their number, with consideration given to the merits of the Chair holding rank of Professor. Members of this committee may not serve more than two consecutive terms and may not serve simultaneously on the Faculty Hearing Committee and the University Rank and Tenure Committee. Vacancies on the committee that result from resignation, retirement, or any other reason are to be filled by the same procedure.
- B. If a committee member is challenged for bias in a particular case, and that challenge is sustained by a majority vote of the other members, or if a member cannot serve because of illness or for some other reason, then a replacement is made. If it is a faculty-elected member that must step down, then the replacement is elected by the remaining faculty-elected members. If it is a President-appointed member that must step down, then the replacement is appointed by the President.
- C. The Faculty Hearing Committee will be called into session to hear appeals in the following areas:
- a) charges of substantive violation of a faculty member's academic freedom
  - b) dismissal of a tenured faculty member
  - c) termination of an unexpired contract
  - d) termination of a tenured appointment on the grounds of financial exigency
  - e) other grievances not resolved by collegial action
  - f) a negative tenure recommendation by the Rank and Tenure Committee
  - g) a negative promotion recommendation by the Rank and Tenure Committee
  - h) a negative final promotion decision to the rank of Senior Teaching Professor by the Provost

In cases (a) through (e), a faculty member who desires to file a formal grievance must first attempt to resolve the problem with the appropriate administrator. If the grievance is not resolved at this level, then the grievant may submit a formal written grievance to the Faculty Hearing Committee. This formal written grievance must include the complaint, the remedy sought, and the administrative response to the original discussion. The Faculty Hearing Committee then holds hearings, making use of the formal grievance and such other materials that it requests or that the grievant submits or that the administration submits. The Faculty Hearing Committee reviews each grievance and decides either to hold a hearing or to reject the grievance as unsupported. The Faculty Hearing Committee is advisory to the President, so it makes a written report and recommendation to the President. Copies of this report and recommendation are given to the grievant and to the appropriate administrator. The President then makes the final decision on the grievance.

In cases (f), a negative tenure recommendation and (g), a negative promotion recommendation, the committee only considers appeals for which the grievant has presented evidence of one or both of the following:

1. that the denial was based on reasons other than those specified in the criteria for tenure;
2. that the Rank and Tenure Committee misconstrued the information provided by the applicant.

If the Faculty Hearing Committee is convinced that an error has been made, then it will submit the evidence and its judgment to the University Rank and Tenure Committee, for reconsideration of the Committee's original decision. The President and the grievant will be informed of this action and the reasons for this action. The University Rank and Tenure Committee makes its recommendation based on the reconsideration and submits as before to the President. The President makes the final decision.

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In the case of (h), a negative promotion recommendation to the rank of Senior Teaching Professor, the Faculty Hearing Committee only considers appeals for which the grievant has presented evidence of one or both of the following:

1. that the denial was based on reasons other than those specified in the criteria for promotion;
2. that the information provided by the applicant was misconstrued.

If the Faculty Hearing Committee is convinced that an error has been made, then it will submit the evidence and its judgment to the Provost who may consult with the Department Promotion Committee, the Department Chair (or the School Director) and the Dean for reconsideration of their original decisions. The Provost and Chief Academic Officer will make the final decision.

## SECTION XIV – TERMINATION OF TENURED FACULTY

The employment of a tenured Principal Faculty member may be terminated only for grave cause. Grave cause includes acts of grave dishonesty, gross incompetence in teaching, grave irresponsibilities in discharging university obligations, substantial misrepresentation of facts relevant to faculty status, incapacitating physical or mental illness, conviction of a serious crime, financial exigency, and grave violations of University policies, such as those governing sexual harassment.

### A. Procedure for Termination

When reason arises to consider the termination of a faculty member for grave cause, other than financial exigency, the appropriate administrator (e.g., Department Chair or Dean) should discuss the matter with the faculty member. If the matter cannot be mutually resolved, the Provost and Chief Academic Officer reviews the case, interviews the principals involved, and makes a determination of whether or not formal termination proceedings should be instituted. If the Provost and Chief Academic Officer decides that such proceedings should be initiated, this decision and the grounds for the proposed termination are communicated in writing to the faculty member and the Faculty Hearing Committee, in the form of a request that the Faculty Hearing Committee initiate termination proceedings. Within ten working days of receipt of the Provost and Chief Academic Officer's communication, the Faculty Hearing Committee establishes a specific location, time, and place for a formal hearing. In setting the hearing date, at least fifteen working days from the time of the receipt of the Provost and Chief Academic Officer's communication are allowed for the faculty member to prepare a defense. The faculty member and the Provost and Chief Academic Officer are informed in writing of the location, time and date of the hearing.

At the formal hearing before the Faculty Hearing Committee, the faculty member or a principal faculty colleague serving at the request of the faculty member, is given an opportunity to make an oral presentation. The Provost and Chief Academic Officer also has the opportunity to make an oral presentation. The faculty member or the previously designated colleague has the opportunity to confront all adverse witnesses, to call witnesses, and to submit written or oral arguments on his or her behalf. The Provost and Chief Academic Officer has the same rights. The Faculty Hearing Committee may also question witnesses. Records of all proceedings are kept by the Hearing Committee.

Within ten working days of the conclusion of the hearing, the Faculty Hearing Committee makes its recommendation in writing to the President. The recommendation includes reasons for its conclusions. Minority reports may be submitted by committee members who dissent from the majority opinion. At the same time, a copy of the committee report and any minority reports are provided to the faculty member. The President reviews the findings of the Committee and renders a decision. At any point during any of these procedures the faculty member may be temporarily relieved of teaching and other duties. The faculty member's salary payments will be continued during this period.

### B. Procedure for Termination in Cases of Financial Exigency<sup>4</sup>

If the University announces that it is threatened by financial exigency, the Faculty Committee and the University Planning and Resourcing Council (UPRC) participate with the administration in reaching decisions that such exigency does exist or is imminent and that all feasible alternatives have been pursued prior to termination of contracts. In such discussions the administration provides the Committees with all the information necessary for the responsible discharge of this function, including audits and studies relating to the financial condition of the institution. At the end of deliberations, each of the two Committees makes a recommendation to the President. Minority reports may also be submitted.

<sup>4</sup> An imminent financial crisis which threatens the survival of the institution as a whole and which cannot be alleviated by less drastic means. AAUP Redbook, 1990 edition, page 23.



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When a state of financial exigency has been announced by the President and the Board of Trustees, the Faculty Committee and the UPRC participate with the administration in decisions about which appointments should be terminated. If tenure-track or tenured faculty members are to be terminated, the Deans, and the College Curriculum Committees, meeting together, make specific recommendations to the Provost and Chief Academic Officer, about which appointments should be terminated.

Before an appointment is terminated, the administration, in consultation with the Faculty Committee, attempts to place the faculty member in another suitable position within the University. The terminated faculty member is entitled to one semester notification before termination. During the period between notification and the termination date, a faculty member may appeal the decision to the Faculty Hearing Committee, by presenting arguments that question the following:

1. the degree of the financial exigency
2. the validity and applicability of the educational judgments that have been made.

Following its consideration of the faculty member's appeal, the Faculty Hearing Committee makes its recommendation to the President.

When the President has confirmed a termination, there will be a two-year period during which time the President must consult with the Faculty Committee and the College Curriculum Committees before hiring a replacement.

Termination of tenured faculty will not occur before termination of nontenured faculty, except where such termination would result in grave distortion of an academic program as determined by the President. In all cases of termination of tenured appointments because of financial exigency, the place of the faculty member terminated must not be filled within a period of three years, without its being offered first to the terminated faculty member. These individuals must be given a month to accept or decline such an offer.

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## SECTION XV – FACULTY LEAVE POLICY

### A. Unpaid Leaves

A Principal Faculty member may request a leave of absence without pay for one semester or one academic year. Normally, such leaves are not granted for a period longer than two years. The request for a leave of absence should be made in writing through the appropriate Dean to the Provost and Chief Academic Officer, prior to April 1 of the academic year preceding the leave. If the leave of absence begins with the second semester, the request should be made by October 15. While the University makes efforts to honor requests for leaves without pay, it has no obligation to grant them. At the end of a leave, the University can require faculty members to return to full-time employment at the University or relinquish their positions.

### B. Faculty Development Leaves

Faculty Development Leaves are granted for one semester at full pay or two semesters at half pay. The number of these leaves awarded annually is based on: the need of the University to have a cohort of Principal Faculty, the availability of funds, and the quality of the requests. The Provost and Chief Academic Officer grants these leaves, based on the evaluation of the requests by the Faculty Development Committee. The criteria used for evaluation are length of service and the quality of the proposed activities. These activities include improvement of teaching, research, scholarship, development of technical skills, and other activities that are judged to impact the University positively through intellectual development of the faculty member.

The calendar and procedures for requesting Faculty Development Leaves are made available annually by the Office of the Provost and Chief Academic Officer. In order to be eligible, the faculty member must have completed three years in a Principal Faculty position at Xavier University. Also, a Faculty Development Leave is not granted to an individual faculty member more than once every four years.

### C. Seniority Sabbaticals

The Seniority Sabbatical Program, leaves of one semester at full pay or two semesters at half pay, is limited to those faculty members who hold Principal Faculty positions continuously since May 31, 1989, plus those faculty moved from temporary to Principal Faculty positions in their reappointment letters for 1989-90. The number of these leaves awarded annually is based on the need of the University to have a cohort of Principal Faculty and the availability of funds. These faculty members, according to a chronological listing, retain their eligibility for three years from the time of notification of eligibility. Within that period, the leave must be taken or forfeited. The current seniority sabbatical program ends when all current faculty defined in this section have been offered a sabbatical.



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## SECTION XVI – FACULTY COMPENSATION

### A. Salary

Xavier University is committed to providing its faculty with fair and competitive compensation that includes salary and benefits. Principal Faculty and Participating Faculty are compensated for the nine month academic year. Upon their request salaries can be paid over twelve months.

Summer offerings are scheduled with respect to the needs of the program and the University. Hence, opportunities for summer teaching exist but cannot be guaranteed. Summer teaching is not considered part of the academic year appointment. Principal and Participating Faculty receive 2.5% of their previous year's salary for each credit hour taught during the summer. While every effort will be made to honor summer assignments, letters of appointment are not final until an enrollment approved for that particular course has been reached. The maximum teaching assignment allowed during the summer is six credit hours and one workshop hour, except with the permission of the Provost and Chief Academic Officer. Compensation for workshops varies depending on specific circumstances and is subject to the approval of the Provost and Chief Academic Officer.

### B. Standard Benefits

University Faculty employed on a full-time basis are entitled to certain benefits provided by the University to all full-time employees. These benefits include employer contributions to Social Security (FICA), retirement, life insurance, disability insurance, health insurance, liability insurance, and other miscellaneous benefits such as a discount on books and educational items purchased at the University Bookstore. These benefits are subject to local, state and federal legislation and to modifications imposed by outside vendors. These benefits are reviewed annually by the Benefits Committee which makes recommendations for modifications to the UPRC. The UPRC then recommends levels for the next year to the President. The President's action on such recommendations established the benefits for the next year.

### C. Xavier Benefits

Xavier University encourages its faculty to fully participate in the life of the University. To that end, University Faculty employed on a full-time basis may choose two complimentary tickets to all home athletic events or reduced season rates. In addition, they receive reduced rates for student performances, and for an individual or family membership at the University Sports Center. Free parking is provided in designated lots.

University Faculty employed on a full-time basis receive 100% tuition remission for most graduate or undergraduate courses at the University. This benefit also applies to retired Xavier faculty members who have served the University full-time for at least seven years. Following a one-year waiting period from the start of full-time employment at Xavier, 90% tuition remission is also granted for most graduate and undergraduate courses for spouses and dependent children up to and including the age of 25. In the event of retirement, disability, or death of a University Faculty member who has completed seven years of full-time service at Xavier, tuition remission is extended to the spouse and dependent children under the same conditions as it is extended to the spouse and children of an active employee. In all cases, tuition remission is contingent upon acceptance into the University and into the program of study. Additionally, for programs that are at capacity and have size limits tuition remission may not be available.

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In the spirit of shared governance, the Benefits Committee and the Faculty Committee, as the executive committee of the Faculty Assembly, will jointly consider any modifications to these benefits and jointly submit a report to the President and the UPRC. The UPRC will consider these recommendations and make its own recommendation to the President. The President's action on such recommendations will establish benefits in this area.

#### D. External Programs

Xavier is a participant in the Faculty Children Exchange Program (FACHEX) and the Tuition Exchange Program, Inc. (TEP). Children of University Faculty employed on a full-time basis may compete for FACHEX and TEP scholarships at participating institutions. Information about these programs can be obtained from the Office of Financial Aid.

#### E. Sick Leave, Family Leave and Family Medical Leave Act (FMLA)

Employees may be eligible for Family Leave as defined in the University's Family Leave Policy. Family Leave is accessible when the conditions of a faculty member's absence meet the requirements of the Family and Medical Leave Act of 1993 ("FMLA"). For example, Family Leave may be used if an employee or an employee's family member is dealing with a serious medical condition. Family Leave may also be used as paid leave for parents welcoming a new child. Additional information on the FMLA and Family Leave is available from the HR Business Partner.

All faculty members who meet the requirements of the FMLA are eligible under certain conditions for paid Family Leave as described in University policy, and for additional job protection. Requests by faculty members for FMLA leave should be made to the HR Business Partner with appropriate supporting documentation. Nontenured Principal faculty may apply to the Provost and Chief Academic Officer to have FMLA leave time excluded from the time counted toward the probationary period. Alternatively, nontenured Principal faculty can interrupt the probationary period, without going on FMLA leave for FMLA reasons. A request for the interruption of the probationary period must be initiated in writing and sent, with the recommendation of the appropriate Chair and Dean, to the Provost and Chief Academic Officer for final decision.

Paid sick leave is available to University Faculty employed on a full-time basis determined by length of University service. For those with less than six months of service no sick leave is granted. For those with six months to less than one year of service sick leave is one month of full pay and one month at half pay. For those with one year to less than two years of service sick leave is one month at full pay and two months at half pay. For those with two years to less than five years of service sick leave is one month at full pay and five months at half pay. For those with five years or more of service, sick leave is two months at full pay and four months at half pay. Information on paid sick leave is available from the HR Business Partner.

To ensure the continuation of quality instruction, faculty members confronting the necessity of Family Leave or extended sick leave should give notice to the Department Chair as soon as possible so that the faculty member's Chair and Dean may make appropriate arrangements.

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## SECTION XVII – FACULTY HANDBOOK REVISIONS

Faculty Handbook revisions may be proposed by the Provost and Chief Academic Officer or by the Faculty Assembly. Proposed revisions from either source are officially transmitted, in writing, to the other party. At the end of a sixty-day period following the official transmission, during which the proposed revisions have been discussed at a meeting of the Faculty Assembly, the proposed revisions must be accepted by a majority vote of the Principal Faculty, Participating Faculty, and Professional Librarians, using an anonymous ballot, unless the proposed revision deals with issues related to the definition of Principal Faculty, Principal Faculty reappointment, or tenure and promotion to Associate or Full Professor. In that case, only Principal Faculty will vote. The sixty days must fall within the Academic Year. The proposed revisions are presented to the President. The President may accept the revisions and present them to the Board of Trustees for ratification or the President will make any objections known in writing to the Faculty Assembly and to the Provost and Chief Academic Officer.

In the case of an objection, the Provost and Chief Academic Officer and the Faculty Assembly attempt to resolve the issues. Only when agreement is reached and confirmed by an anonymous ballot is the proposal returned to the President. The President again may submit the revision to the Board of Trustees for ratification or he may end the process of revision. No revision may adversely affect the contract of employment of individual faculty members during an academic year. Changes mandated by federal, state, or local laws are not governed by the revision procedure.

The authority to approve the Faculty Handbook and revisions to the Faculty Handbook rests with the Board of Trustees of Xavier University. The Faculty Handbook and changes to it shall become effective as of the date(s) of approval by the Board of Trustees.

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## SECTION XVIII – FACULTY HANDBOOK INTERPRETATION

- A. Process. In cases where faculty or the administration believes that the other has misinterpreted or violated the Handbook, the Faculty Assembly meets with the Provost and Chief Academic Officer and, where appropriate, other concerned administrators to resolve the disagreement. If this consultation fails to resolve the issue, the matter is brought to the attention of the President, who makes the final decision.
- B. Waiver. Consent by either the faculty or the administration to a breach of any provision of this Handbook, or to a waiver of any provision of this Handbook, whether express or implied, shall not constitute consent to, waiver of, or excuse for any breach of any other provision or subsequent breach of the same provision.
- C. Severability. If one or more of the provisions of this Handbook is held to be invalid, illegal, or unenforceable by a court of competent jurisdiction, then the validity, legality, and enforceability of the remaining provisions of this Handbook shall be unaffected.